IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Civil Application No.1109 of 2007
In
Civil Writ Petition No.660 of 2007

Namdeo Narayan Ghunthe Petitioner

Vs.

Jayashree Anil Parmale Respondent

Mr.P.D.Dalvi for petitioner.
Mr.S.P.Kadam for resp.

CORAM: B.H.MARLAPALLE, J.

May 03, 2007.

P.C.

. Heard Mr.Dalvi, the learned counsel for the petitioner. Mr.Kadam appears for the respondent - landlady.

. This is an application for granting extension to vacate the suit premises and hand over its peaceful possession to the landlady. It has been stated that an undertaking will be furnished by the applicant before the lower Court to the effect that the premises would be handed over to the landlady by 31st October, 2007. Writ Petition No.660 of 2007 was rejected summarily by this Court on 29/1/2007. However, the undertaking furnished by the petitioner

was accepted and it was obligatory on the part of the petitioner to hand over the premises to the landlady within twelve weeks from 1st February 2007. SLP (Civil) No.5549 of 2007 filed against the order passed by this Court on 29/1/2007 has been dismissed on 2/4/2007 and when the petitioner sought time to vacate the suit premises it was left to him to move this Court in that regard and, therefore, this application for the third time extension to vacate the premises.

. Mr.Dalvi prayed for time to vacate the premises upto 31st October 2007. This request cannot be considered. The eviction suit has been decreed against the petitioner on the ground of availability of alternative accommodation and the petitioner is running a workshop from the suit premises. As per the undertaking furnished before this Court on 29/1/2007 the period of twelve weeks is over on 27th April 2007. However, at the request of Mr.Dalvi, the period to vacate and hand over the peaceful possession of the suit premises to the landlady is hereby extended upto 31st May 2007 subject to the petitioner filing an undertaking to that effect with the Registry of this Court within one week and with a

copy of the same to the executing Court.

. Civil application is disposed off in terms of the above directions.

(B.H.MARL